

FRANKFORT/FRANKLIN COUNTY BOARD OF ZONING ADJUSTMENTS
February 5 , 2008

Chairman Mitch Buchanan called the meeting to order at 5:30 p.m.
Recording Secretary Dawn McDonald called the roll.

MEMBERS PRESENT:	Mitch Buchanan
	Barry Holder, Jr.
	Joe Johnson
	David Jones
	Joyce Honaker

MEMBERS ABSENT:	Ryan Sell
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Chairman Mitch Buchanan presented Kathy Peale with a plaque for her six years of service to the Frankfort/Franklin County Board of Zoning Adjustments.

Chairman Mitch Buchanan called the meeting to order, introduced staff and swore in the staff and audience.

The first item of business was approval of the December 4, 2007 minutes. Mr. Johnson made a motion to approve the minutes. The motion was seconded by Mr. Holder and carried unanimously.

The next item of business was a request from Helen Holder for a Conditional Use Permit for a Major Home Occupation to allow a skin care treatment and wellness counseling home business in the principal structure located at 1012 Silver Lake Boulevard, zoned "RB" Single Family Residential Suburban Density District.

Gary Muller, City of Frankfort Planning Director was present for the staff report and explained that the application was removed by the applicant because they found another location.

The next item of business was a request from Gardner Yates Ministries, Inc. for approval of a Conditional Use Permit to allow the operation of a halfway house – rehabilitation/residential care center for at risk youth in the structure located at 2823 Evergreen Road, zoned "CL" Limited Commercial District.

Robert Hewitt, Franklin County Planning Director was present for the staff report. Mr. Hewitt requested that he item be tabled until the septic system issue is resolved but that they have conditions should the Board choose to approve the application. In light of such a turnout to hear and discuss this item, the Board chose to go ahead with the application. Mr. Buchanan asked Mr. Hewitt how the structure was going to be inhabited and also about safety. Mr. Hewitt replied that he Fire Marshall had assessed the property and given the go ahead. Mr. Hewitt then explained that he presented a similar application to the Board for another location in the City limits and

that he followed the same process as he previously had to describe the use of the application. He stated that the Health Department has not been able to complete their inspection and that staff recommends to table the item until the septic system has been evaluated.

The applicant Gardner Yates was present and stated that the only issue he had with the application is the wording of Halfway House and Rehabilitation. He went on to explain that they propose to house six females between the ages of 13 and 17 years old, with 2 staff members at all times. He explained that these girls have no criminal history nor mental issues, they have simply been removed from their homes to do circumstances beyond their control and that it is the goal of this program to offer these girls and alternative to life they have not previously been given. Concerning the septic system, he stated that he has talked with the Health Department and they intend to address all the issues prior to occupying the home. Mr. Yates asked the Board to make it a condition that the septic system be approved prior to their occupying the residence. He also mentioned that he has had no issues with the existing program in Frankfort.

Mr. Holder asked the applicant to explain what goes on in the home. Mr. Yates replied that it is the goal of the "Slice of Life" program to offer these young ladies and alternative lifestyle than what they had. He said these girls attend public schools and volunteer throughout the community. He said it is their ultimate goal to help these young ladies develop and grow into something more than what they previously had.

Martha Harrod, an adjoining property owner was present and stated that she had concerns about the septic system. Mr. Yates replied that they have talked with the Health Department and intend to address all the septic issues prior to occupying.

Bobby Cook of 480 Devils Hollow Road was present on behalf of her mother who lives across the street from the subject property. She questioned whether or not these girls will graduate from the program, are the ages between 13 and 17 and whether or not the girls would be supervised. Mr. Yates replied that yes they will graduate, and that more girls between the ages of 13 and 17 will be recommended to the facility when there are vacancies and yes the girls are supervised by two staff persons at all times. Ms. Cook then asked about additional traffic and Mr. Yates replied that there would be six cars there on Mondays for the staff meeting.

Rebecca Crawly, an adjoining property owner stated that she has lived there since she was 11 years old, she said she has never been afraid to live there alone and hopes that doesn't change. She also questioned whether or not the girls would be supervised 24 hours a day, and she stated that if there are two or more people there at all times, then she is concerned that the septic system won't be adequate. She said the septic there has been an issue for some time now and that she believes it will decrease the value of her property.

Charlie Harley was present on behalf of his mother and submitted a petition with 200 names on it to oppose the halfway house.

Jerry Harley, an adjoining property owner was present and wanted to know if they practiced safe crisis management. He also questioned how many staff people would be there at all times and whether or not there were bed checks. He stated that overall he is concerned with what is going on next door. Mr. Yates replied that they do have bed checks and reports that have to be submitted to document proof that the house is running as it should.

Jackie of 517 Parkside, stated that she owns property just two doors down but that after hearing the testimony she has no problem with the proposed application.

Vernon Oldham stated that he wants to be sure these kids will be orientated and wants to be sure they have respect for senior citizen.

Rick Oldham of 118 Strawberry Lane was present and stated that he has a boy who was headed down the wrong road and that Mr. Yates is a minister at their church and after working with his son, his son is doing much better now, he stated that he would like to see not only this home for the girls but also one for boys.

Peggy Yates who helps with the program stated that she was speaking on behalf of the girls because they could not speak for themselves. She explained that these girls are upset because of how they are being viewed, she said these girls are not criminals, they go to public schools and volunteer in the community. She said these girls have even on occasion called her from school when a problem has occurred to see how best to handle the situation. She urged the board to approve the application.

A.C. Lester a neighbor to Ms. Harrod stated that the raw sewage has always run on her property and the wind blows the stink his way. He asked that no one be allowed to live there until the septic issue is resolved.

Ken Morris of 2525 Evergreen Road was present and stated that he is concerned the application will be approved then be used for something more than what was approved. The Board replied that conditions will be placed on the approval granting approval only to this person for this use and that it is not transferable, in order to grow or change uses the applicant would have to come before the Board again.

After discussion, Mr. Johnson made a motion to approve the Conditional Use Permit with the following conditions: 1) the conditional use is granted to Gardner Yates Ministries Inc. for a rehabilitation/halfway house within the principal structure located at 2823 Evergreen Road not to exceed a maximum of six (6) female inhabitants ages 13 to 17 and they shall be from DJJ but not from DCBS and two employees; 2) the conditional use is not transferable and any change in the ownership or use will make this approval null and void; 3) that the applicant obtain a Franklin County Business License; and 4) that the application has the site septic system approved by the Franklin County Health Department to ensure its proper functioning and sufficient capacity. The motion was seconded by Mr. Holder and carried unanimously.

Mr. Holder made a motion to adjourn. The motion was seconded by Mr. Johnson and carried unanimously.

Adjourn